

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ALVIN D. CARSON,)	
)	
Plaintiff,)	
v.)	No.: 3:05-CV-177
)	(VARLAN/SHIRLEY)
AJN HOLDINGS and THE)	
PEPSI BOTTLING GROUP,)	
)	
Defendants.)	

ORDER

This case was dismissed with prejudice by stipulation of the parties [Doc. 13]. Nevertheless, plaintiff has filed a motion to reopen the case [Doc. 14] and two subsequent motions to amend his complaint, in which he seeks to add additional claims to the case [Docs. 15, 17].

Per the parties' stipulation of dismissal, all claims asserted in this action were dismissed with prejudice. Plaintiff, therefore, cannot reopen this case. Once a case is dismissed with prejudice, the claims comprising that case are extinguished and cannot be asserted by that plaintiff again. Any new claims can only be asserted by filing of new action.

Plaintiff's motion to reopen the case [Doc. 14] is therefore **DENIED**. Accordingly, plaintiff's two motions to amend his complaint [Docs. 15, 17] are **DENIED as moot**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE